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7 willkennedy@pacbell.net

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7 PO Box 686
8 Pescadero, California 94060
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(650) 879-1103 fax
cbrancart@brancart.com

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10 HOUSING AND ECONOMIC RIGHTS ADVOCATES
PO Box 29435
11 Oakland, California 94604
(510) 271-8443 phone
(510) 868-4521 fax
12 nzinner@heraca.org

13 Attorneys for plaintiff Mercedes Herrera
and others similarly situated

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**MERCEDES HERRERA,
Plaintiff.**

François,

V.

LCS FINANCIAL SERVICES CORPORATION and OCWEN LOAN SERVICING LLC,

Defendants.

} Case No. 09-cv-02843 TEH
}
}
DECLARATION OF MERCEDES
HERRERA

I, Mercedes Herrera, declare as follows:

1. I am the plaintiff in this case and seek to serve as the representative of the class. I make this declaration based on my personal knowledge.

1 2. Defendant Ocwen asserts that I did not “owner-occupy” the residence
2 at 38623 Cherry Lane # 117 in Fremont, CA. This assertion is false. As I
3 testified in my deposition, 38623 Cherry Lane #117 was my home from the date I
4 purchased it up until the date I was forced to vacate after the property was
5 foreclosed. I moved into the condo at 38623 Cherry Lane # 117 in October 2005,
6 after I purchased it, and lived there continuously until July 4, 2008. During that
7 period of time, it was my home and I had no other residence.

8 3. On or about June 16, 2008, I received a “Three Day Notice to Quit,”
9 “To: Mercedes Herrera, an unmarried woman 38623 Cherry Ln. #117, Fremont,
10 CA 94536.” It was signed by an attorney, Edward Treder. It required that I
11 move from my home following the foreclosure. A true and correct copy of the
12 Three Day Notice is attached as exhibit 1. I wanted to avoid an eviction and
13 agreed to relocate. My attorney contacted Mr. Treder by letter, dated July 2,
14 2008, confirming that I would relocate from my home at 38623 Cherry Ln. #117
15 during the 4th of July weekend, in 2008. A true and correct copy of Mr.
16 Brancart’s letter to Mr. Treder is attached as exhibit 2.

17 4. While I resided at 38623 Cherry Ln. #117 I received my mail there.
18 For example, attached hereto as exhibit 3 is a true and correct copy of my 2005,
19 2006 and 2007 W-2s, showing my home address as 38623 Cherry Lane #117,
20 Fremont, CA 94536-4233. Exhibit 4 is a true and correct copy of my “Thrift
21 Savings Plan Annual Participant Statement” for the year 2007, showing my home
22 address as 38623 Cherry Lane #117, Fremont, CA 94536-4233. Exhibit 5 is a true
23 and correct copy of my Life Insurance statements dated August 31, 2006 and
24 August 31, 2007, showing my home address as 38623 Cherry Lane #117, Fremont,
25 CA 94536-4233. Exhibit 6 is a true and correct copy of a letter from my
26 employer, the United States Postal Service, dated February 13, 2008, showing my
27 home address as 38623 Cherry Lane #117, Fremont, CA 94536-4233. Exhibit 7 is
28 a true and correct copy of my Social Security Statements, dated June 29, 2006,

1 July 3, 2007 and July 2, 2008, showing my home address as 38623 Cherry Lane
2 #117, Fremont, CA 94536-4233. Exhibit 8 is a true and correct copy of my
3 Personal Statement of Benefits from my employer for the year 2007, showing my
4 home address as 38623 Cherry Lane #117, Fremont, CA 94536-4233. Exhibit 9 is
5 a true and correct copy of my miles statement from American Airlines, dated
6 March 22, 2008, showing my home address as 38623 Cherry Lane #117, Fremont,
7 CA 94536-4233. Exhibit 10 is a true and correct copy of the envelope from a
8 letter I received from J. Jarvis, dated March 19, 2007, showing my home address
9 as 38623 Cherry Lane #117, Fremont, CA 94536-4233.

10 5. Defendant Ocwen implies that I did not occupy 38623 Cherry Lane
11 #117, Fremont, CA 94536-4233 because Ocwen asserts that their employees
12 unsuccessfully attempted to contact me at that address via telephone calls and
13 some “doorknocks” during the period from December 17, 2007 to February 26,
14 2008. As previously stated, during this period of time my condo at 38623 Cherry
15 Lane #117 was my home which I occupied as my residence. A review of the
16 records attached by Ocwen shows that its phone calls and “doorknocks” came at
17 times and dates that I was either at work or out of the country.

18 6. During the time period, (and before and since), I worked at the Post
19 Office in Pescadero, California. During this time period, I usually worked six
20 days per week. The only day I did not work was on Sunday. I had a long
21 commute from Fremont to Pescadero, which is located on the southern coast of
22 San Mateo County. My commute was at least one and half hours each way.
23 Every work day, I left my house by 6 a.m., arriving at work at around 7:30 a.m. to
24 get ready to open the post office. I left work at around 5:30 pm. I arrived home
25 no earlier than 7:00 p.m., often later if I stopped to see my daughter or to shop. I
26 did not have an answering machine on my home phone and did not answer the
27 home phone at night, relying instead on my cell phone. My mother, who lived
28 with me, does not speak English and may have picked up the telephone calls,

1 though I am not certain.

2 7. During part of the period that Ocwen claims to have tried to reach me,
3 I was out of the country visiting family in Ecuador. I traveled to Ecuador between
4 February 2, 2008, and March 1, 2008, to visit with my family there.

5 8. Defendant Ocwen also asserts that I was not accurate when I verified
6 my interrogatories. This assertion is untrue as well.

7 9. My native and primary language is Spanish. I can speak and read
8 some English, but I much prefer Spanish, which I understand better than English.

9 10. I worked very hard with my attorneys to make sure that I provided
10 accurate answers to Ocwen's interrogatories to me. First, I received a copy of
11 Ocwen's interrogatories by mail from my attorney Christopher Brancart. Next, I
12 reviewed each of the questions with Mr. Brancart's staff, discussing the answer to
13 each question. Some of the interrogatories asked legal questions; others asked
14 factual questions. Next, I made an appointment to visit Mr. Brancart and his staff
15 at their office. At that meeting, we reviewed a draft of my interrogatory responses
16 and discussed my answers to make sure that they were accurate. After that review
17 of my responses to interrogatories was completed, the changes and additions were
18 inserted. I then made another appointment to visit Mr. Brancart's office, where I
19 reviewed the final responses. During this meeting, Mr. Kennedy and a member of
20 his staff translated each question and answer from English into Spanish to verify
21 the accuracy of each of my answers. Once that process was completed, I then
22 signed the verification.

23 11. As I described in my deposition, a loan agent named Carlos filled out
24 my loan application. I had previously provided Carlos correct information as to my
25 income, employment, and SSN. All of my conversations with Carlos were in
26 Spanish. I do not know Carlos' last name. He worked at an office in Hayward,
27 California, which no longer exists. He presented me with a stack of papers in
28 English and asked for my signatures. I did not read them, as I relied on him to fill

1 out the papers correctly, and it is not easy for me to read legal papers in English. I
2 did not realize that the income, employment and SSN information on my loan
3 application were incorrect until I learned about it during this litigation.

4 12. I have reviewed this declaration with my attorney and his staff,
5 reading it aloud in both English and Spanish to make sure that it is accurate.

6 * * *

7 I declare the following to be true and correct under penalty of perjury under
8 the laws of the United States of America.

9 Dated: 04 - 11 - 2011 at Fremont, California.

10
11 Mercedes Herrera

12 Mercedes Herrera
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EXHIBIT 1

THREE DAY NOTICE TO QUIT

(Cal. Code of Civ. Pro. § 1161a(b)(3))

To: MERCEDES HERRERA, AN UNMARRIED WOMAN
38623 CHERRY LN. #117, FREMONT, CA 94536

YOU ARE HEREBY NOTIFIED that the real property and improvements thereon commonly known as 38623 Cherry Lane #117, Fremont, California 94536 ("the Property") have been sold to U.S. Bank National Association, as Trustee for MASTR Asset Backed Securities Trust 2006-NC1, at a non-judicial foreclosure sale in accordance with Cal. Civ. Code §§ 2924 et seq. under the power of sale contained in that certain Deed of Trust executed by Mercedes Herrera, an unmarried woman, and recorded on October 14, 2005 as Instrument No. 2005446049 in the Office of the Alameda County Recorder. The new owner's title has been duly perfected by Trustee's Deed Upon Sale recorded in the Office of the Alameda County Recorder.

YOU ARE FURTHER NOTIFIED that your occupancy of the Property shall terminate effective THREE (3) CALENDAR DAYS after service of this Notice upon you.

WITHIN THREE (3) CALENDAR DAYS following service of this Notice, you must vacate and surrender possession of the Property to the undersigned, or legal proceedings will be immediately commenced to declare your occupancy forfeited, to obtain restitution and possession of the Property and to obtain a money judgment against you for damages and court costs.

ROBERT E. WEISS INCORPORATED

By:

EDWARD A. TREDER
Attorneys for Property Owner
U.S. Bank National Association, as Trustee for
MASTR Asset Backed Securities Trust 2006-NC1

Direct All Inquiries to:

EDWARD A. TREDER
State Bar No. 116307
Law Offices of
ROBERT E. WEISS INCORPORATED
920 South Village Oaks Drive
Covina, CA 91724
Phone: (626) 967-4302
FAX: (626) 339-7103

EXHIBIT 2

**BRANCART & BRANCART
ATTORNEYS AT LAW**

*Christopher Brancart
Elizabeth Brancart
Liza Cristol-Deman*

P.O. BOX 686
PESCADERO, CA 94060

*Telephone (650) 879-0141
Facsimile (650) 879-1103
www.brancart.com*

Street Address
8205 Pescadero Road
Loma Mar, California 94021

July 2, 2008

Mr. Edward A. Treder
Robert E. Weiss Incorporated
920 South Village Oaks Drive
Covina, CA 91724

Re: 3 and 30 Day Notices to Vacate served on 38623 Cherry Lane, Inc.
File No. F-9685

Dear Mr. Treder:

I write to follow up on my last letter, dated June 25, 2008, regarding the above-referenced residence.

As I indicated, Ms. Herrera is relocating. She will complete that relocation this weekend, and is attempting to arrange for a check out and transfer of keys to the assigned real estate agent.

Please feel free to contact me if you have any questions with this letter.

Sincerely Yours,

Christopher Brancart

cc: Ms. Mercedes Herrera

CLIENT COPY
This is a courtesy copy of an important document prepared in your case.
Please review and keep with your important papers about this case. NO
other action is required by you.

EXHIBIT 3

POSTMASTER/MANAGER
2020 PESCADERO CREEK RD
PESCADERO CA 94060-9998



Exemption from withholding: Employees claiming "exempt" from withholding during the year must complete a new Form W-4 each year to keep their "exempt" status. Please contact your local personnel office for details.

Note: If an employee has earnings for more than one state or locality, a separate W-2 is issued for each.

OR EMPLOYMENT VERIFICATION CALL 1-800-276-9850

Finance Number. 05 [REDACTED]

[REDACTED]
M M HERRERA
38623 CHERRY LANE # 117
FREMONT CA 94536-4233
[REDACTED]

Source of reported wages

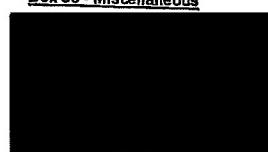
The Wages and Other Compensation amount reported in Box 1 of Form W-2 is derived from year-to-date totals reflected on the employee's Pay Period 26-2005 (or last period in pay status 2005) Earnings Statement, plus several other totals from the Form W-2. Use the Reconciliation Formula below to reconcile your Earnings Statement with your Form W-2. If any checks issued during 2005 were returned or canceled after the last Earnings Statement was printed, this reconciliation is not applicable.

Earnings Statement (YTD)

Reconciliation Formula

A large rectangular area of the document has been completely blacked out, obscuring several lines of text and tables.

Box 36 - Miscellaneous



Safe, accurate,
FAST! Use
IRS e-file

POSTMASTER/MANAGER
2020 PESCADERO OREEK RD
PESCADERO CA 94060-9998



Exemption from withholding: Employees claiming "exempt" from withholding during the year must complete a new Form W-4 each year to keep their "exempt" status. Please contact your local personnel office for details.

Notice: If an employee has earnings for more than one state or locality, a separate W-2 is issued for each.

FOR EMPLOYMENT VERIFICATION CALL 1-800-276-9850

Finance Number. 05 [REDACTED]

[REDACTED]
M M HERRERA
38623 CHERRY LANE # 117
FREMONT CA 94536-4233
[REDACTED]

Source of reported wages

The Wages and Other Compensation amount reported in Box 1 of Form W-2 is derived from year-to-date totals reflected on the employee's Pay Period 26-2006 (or last period in pay status 2006) Earnings Statement, plus several other totals from the Form W-2. Use the Reconciliation Formula below to reconcile your Earnings Statement with your Form W-2. If any checks issued during 2006 were returned or canceled after the last Earnings Statement was printed, this reconciliation is not applicable.

Earnings Statement (YTD)

Reconciliation Formula

R = R - (VCR)

Box 36 - Miscellaneous



POSTMASTER/MANAGER
2020 PESCADERO CREEK RD
PESCADERO CA 94060-9998



Exemption from withholding: Employees claiming "exempt" from withholding during the year must complete a new Form W-4 each year to keep their "exempt" status. Please contact your local personnel office for details.

Notice: If an employee has earnings for more than one state or locality, a separate W-2 is issued for each.

FOR EMPLOYMENT VERIFICATION CALL 1-800-276-9850.

Finance Number. 05

[REDACTED]

M M HERRERA
38623 CHERRY LANE # 117
FREMONT CA 94536-4233

Source of reported wages

The Wages and Other Compensation amount reported in Box 1 of Form W-2 is derived from year-to-date totals reflected on the employee's Pay Period 26-2007 (or last period in pay status 2007) Earnings Statement, plus several other totals from the Form W-2. Use the Reconciliation Earnings Statement to reconcile your Earnings Statement with your W-2. If any checks issued during 2007 were returned or canceled after the last Earnings Statement was printed, this reconciliation is not applicable.

Earnings Statement (YTD) Reconciliation Formula

Box 36 - Miscellaneous

Safe, accurate,
FAST! Use



EXHIBIT 4

 **THRIFT SAVINGS PLAN
ANNUAL PARTICIPANT STATEMENT**

For the year: **2007**

Please review this statement for accuracy, as the information in it is considered correct unless you notify us. To correct errors in contribution allocations, interfund transfers, loans, withdrawals, your Account Profile, or your beneficiary information contact the TSP. For all other corrections, contact your agency or service.

0064484 01 AV 0.312 **AUTO T7 0 5202 94536-423342 P64548 IN123

██



MERCEDES M. HERRERA
38623 CHERRY LANE # 117
FREMONT, CA 94536-4233



Account Number: ██████████160

Date of Birth: 10/17/1949

Retirement Coverage: FERS

Employment Status: Active

Required Vesting Service: 3 years from 11/06/1992

EXHIBIT 5

**WOODMEN OF THE WORLD/OMAHA WOODMEN
LIFE INSURANCE SOCIETY
HOME OFFICE: OMAHA, NEBRASKA**



1700 FARNAM STREET
OMAHA, NEBRASKA 68102
TELEPHONE 402-342-1890
www.woodmen.com

August 31, 2006

**Mercedes M. Herrera
38623 Cherry Ln
Apt 117
Fremont, CA 94536**

**Certificate
Lodge [REDACTED]**



800-225-3108
www.woodmen.org
1700 Farnam Street, Omaha, NE 68102

Woodmen of the World Life Insurance Society and/or Omaha Woodmen Life Insurance Society

August 31, 2007

Mercedes M. Herrera
38623 Cherry Ln
Apt 117
Fremont, CA 94536

Certificate [REDACTED]
Lodge [REDACTED]

EXHIBIT 6

UNITED STATES POSTAL SERVICE
POSTMASTER/MANAGER
2020 PESCADERO GREEK RD
PESCADERO CA 94060-9998

February 13, 2008

MERCEDES M HERRERA
38623 CHERRY LANE # 117
FREMONT CA 94536-4233

Dear MERCEDES M HERRERA,

EXHIBIT 7

Prevent identity theft—protect your Social Security number

Your Social Security Statement

Prepared especially for Mercedes M. Herrera



June 29, 2006

FF P 0297

000440338 01 AT 0.308

MERCEDES M. HERRERA
 38623 CHERRY LN APT 117
 FREMONT CA 94536-4233
 ######

See inside for your personal information →

What's inside ...

- ▼ Your Estimated Benefits 2
- ▼ Your Earnings Record 3
- ▼ Some Facts About Social Security 4
- ▼ If You Need More Information 4
- ▼ To Request This Statement In Spanish 4

(Para Solicitar Una Declaración en Español)

What Social Security Means to You

This *Social Security Statement* will help you understand what Social Security means to you and your family. This *Statement* can help you better plan for your financial future. It gives you estimates of your Social Security benefits under current law. Each year, we will send you an updated *Statement* including your latest reported earnings.

Be sure to read this *Statement* carefully. If you think there may be a mistake, please let us know. That's important because your benefits will be based on our record of your lifetime earnings. We recommend you keep a copy of this *Statement* with your financial records. **Social Security is for people of all ages...**

It can help you whether you're young or old, male or female, single or with a family. It's there for you when you retire, but it's more than a retirement program. Social Security also can provide benefits if you become disabled and help support your family when you die.

Work to build a secure future...

Social Security is the largest source of income for most elderly Americans today. It is very important to remember that Social Security was never intended to be your only source of income when you retire. Social Security can't do it all. You also will need other savings, investments, pensions or retirement accounts to make sure you have enough money to live comfortably when you retire.

About Social Security's future...

Social Security is a compact between generations. For more than 60 years, America has kept the promise of security for its workers and their families. But now, the Social Security system is facing serious future financial problems, and action is needed soon to make sure that the system is sound when today's younger workers are ready for retirement.

Today there are almost 36 million Americans age 65 or older. Their Social Security retirement benefits are funded by today's workers and their employers who jointly pay Social Security taxes — just as the money they paid into Social Security was used to pay benefits to those who retired before them. Unless action is taken soon to strengthen Social Security, in just 11 years we will begin paying more in benefits than we collect in taxes. Without changes, by 2040 the Social Security Trust Fund will be exhausted.* By then, the number of Americans 65 or older is expected to have doubled. There won't be enough younger people working to pay all of the benefits owed to those who are retiring. At that point, there will be enough money to pay only about 74 cents for each dollar of scheduled benefits. We will need to resolve these issues soon to make sure Social Security continues to provide a foundation of protection for future generations as it has done in the past.

Social Security On The Net...

Visit www.socialsecurity.gov on the Internet to learn more about Social Security. You can read our publications, use the *Social Security Benefit Calculators* to calculate future benefits, apply for retirement, spouse's or disability benefits, or subscribe to *eNews* for up-to-date information about Social Security.

A handwritten signature in black ink that reads "Jo Anne B. Barnhart".

Jo Anne B. Barnhart
 Commissioner

* These estimates of the future financial status of the Social Security program were produced by the actuaries at the Social Security Administration based on the intermediate assumptions from the Social Security Trustees' Annual Report to the Congress.

Your Social Security Statement

Prepared especially for Mercedes M. Herrera

July 3, 2007

www.socialsecurity.gov

See inside for your personal information

000456466 01 AT 0.334 FF F 0300
MERCEDES M. HERRERA
38623 CHERRY LN APT 117
FREMONT CA 94536-4233
[REDACTED]



What's inside...

<u>Your Estimated Benefits</u>	2
<u>Your Earnings Record</u>	3
<u>Some Facts About Social Security</u>	4
<u>If You Need More Information</u>	4
To Request This Statement In Spanish	4
(<i>Para Solicitar Una Declaración en Español</i>)	

What Social Security Means To You

This *Social Security Statement* can help you better plan for your financial future. It gives you estimates of your Social Security benefits under current law and updates your latest reported earnings.

Please read this *Statement* carefully. If you see a mistake, please let us know. That's important because your benefits will be based on our record of your lifetime earnings. We recommend you keep a copy of your *Statement* with your financial records.

Social Security is for people of all ages...

It's more than a retirement program. Social Security also can provide benefits if you become disabled and help support your family when you die.

Work to build a secure future...

Social Security is the largest source of income for most elderly Americans today, but Social Security was never intended to be your only source of income when you retire. You also will need other savings, investments, pensions or retirement accounts to make sure you have enough money to live comfortably when you retire.

Saving and investing wisely are important not only for you and your family, but for the entire country. If you want to learn more about how and why to save, you should visit www.mymoney.gov, a federal government website dedicated to teaching all Americans the basics of financial management.

About Social Security's future...

Social Security is a compact between generations. For decades, America has kept the promise of security for its workers and their families. Now, however, the Social Security system is facing serious financial problems, and action is needed soon to make sure the system will be sound when today's younger workers are ready for retirement.

In 2017 we will begin paying more in benefits than we collect in taxes. Without changes, by 2041 the Social Security Trust Fund will be exhausted* and there will be enough money to pay only about 75 cents for each dollar of scheduled benefits. We need to resolve these issues soon to make sure Social Security continues to provide a foundation of protection for future generations.

Social Security on the Net...

Visit www.socialsecurity.gov on the Internet to learn more about Social Security. You can read our publications, use the *Social Security Benefit Calculators* to calculate future benefits or use our easy online forms to apply for benefits.

Michael J. Astrue
Commissioner

* These estimates are based on the intermediate assumptions from the Social Security Trustees' Annual Report to the Congress.



Your Social Security Statement

Prepared especially for Mercedes M. Herrera

July 2, 2008

www.socialsecurity.gov

See inside for your personal information

2

000492498 01 AT 0.346 FF F 0362
MERCEDES M. HERRERA
38623 CHERRY LN APT 117
FREMONT CA 94536-4233

What's inside...

<u>Your Estimated Benefits</u>	2
<u>Your Earnings Record</u>	3
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To Request This Statement In Spanish	4
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We're more than a retirement program. Social Security also can provide benefits if you become disabled and help support your family after you die.

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In 2017 we will begin paying more in benefits than we collect in taxes. Without changes, by 2041 the Social Security Trust Fund will be exhausted* and there will be enough money to pay only about 78 cents for each dollar of scheduled benefits. We need to resolve these issues soon to make sure Social Security continues to provide a foundation of protection for future generations.

Social Security on the Net...

Visit www.socialsecurity.gov on the Internet to learn more about Social Security. You can read our publications, use the *Social Security Benefit Calculators* to calculate future benefits or use our easy online forms to apply for benefits.


Michael J.
Coughlin

Michael J. Astrue
Commissioner

* These estimates are based on the intermediate assumptions from the Social Security Trustees' Annual Report to the Congress.

EXHIBIT 8

UNITED STATES POSTAL SERVICE
DISTRICT MANAGER
SAN FRANCISCO CA 94188-4443



Personal Statement of Benefits - 2007

Prepared especially for

940 055952 PESC 000
MERCEDES M HERRERA
38623 CHERRY LANE # 117
FREMONT CA 94536-4233

Employee ID [REDACTED]
Birthdate 10/17/49
Retirement Plan 8 FERS
Retirement Computation Date 07/18/98

This benefits statement offers a personalized summary of your total compensation, both direct pay and benefits. It is important that you understand the value and the level of coverage for each piece of your benefits package and how each enhances your financial protection and security today and in the future. I urge you to consider taking full advantage of all programs available to you. After a careful review, keep your statement in a convenient location and use it as a hand reference throughout the year.

EXHIBIT 9

Check out www.aa.com/offers
for a complete list of
bonus-miles offers.

AmericanAirlines®

AAdvantage®



Your year-to-date account overview
as of March 22, 2008

U03L-9627-5Y

Ms. Mercedes Herrera
38623 Cherry Ln., Apt. 117
Fremont, CA 94536-4233

001214



Dear Ms. Mercedes Herrera,

You may have noticed a new signature at the bottom of this letter. Many of you have come to know my predecessor, Kurt Stache, so I'm pleased to announce that Kurt has moved on to lead American's global sales effort. That said, I couldn't be more pleased with the opportunity to join the AAdvantage team as we work hard to bring you the best loyalty program in the world.

Although my name may be unfamiliar to you, I bring more than 20 years of experience in finance and marketing, most recently serving as Managing Director – Interactive Marketing, where I led the marketing, content and customer-service efforts for AA.com. As a long-time mileage junkie myself, I've used AAdvantage miles to take my family on exotic vacations all around the globe.

Speaking of exotic destinations, join us as we take you on a quick tour of China in this month's Miles magazine. This ancient culture is sure to stir your inner adventurer. And be sure to visit AAdvantage Milestones today at www.aa.com/milestones and watch for the upcoming China edition due out May 9.

Until next time, I wish you many happy travels.

Sincerely,

Rob Friedman
President, AAdvantage Marketing Programs
American Airlines, Inc.

61522001-028-000292721

Visit AA.com for your
latest mileage balance.
Unused miles may expire after
18 months of inactivity.

AAdvantage® Updates

Earn miles for everyday shopping.

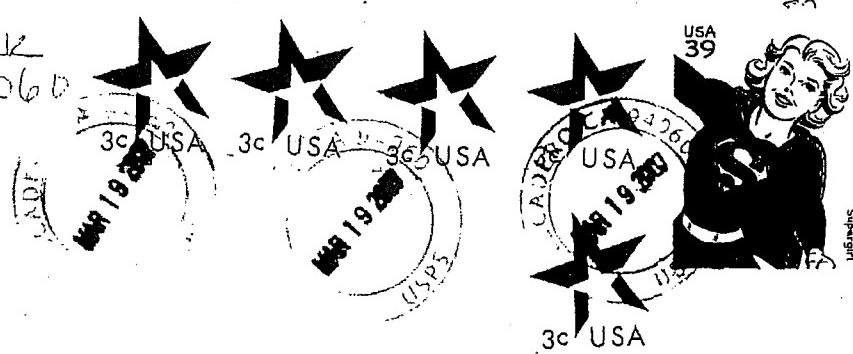
Find all of your favorite electronics, fashion merchandise, books and more at the AAdvantage eShopping™ mall. You can shop at more than 250 of your favorite retailers. Why fight crowds and parking lots when you can get all your shopping done from the comfort of your own home? And when you shop at the AAdvantage eShopping mall, you can earn up to 10 miles for every dollar spent, which could have you on your way to your favorite vacation destination. Visit www.aadvantageeshopping.com today to get your shopping started!

Looking for more ways to earn AAdvantage miles?

The Mileage Maximizer is an interactive tool that allows you to calculate mileage-earning opportunities. Of course you can earn miles by flying, but Mileage Maximizer will show you other ways to quickly boost the number of miles in your account. For example, you can earn thousands of miles for hotel stays, phone service, credit cards and even dining. Once you realize how quickly your miles can add up, you'll be interested in how you can use those miles. Mileage Maximizer has that information, too! Find out how to pay for hotel stays or car rentals. Learn how far 26,000 or even 100,000 miles can take you. Visit www.mileagemaximizer.com to see how many AAdvantage miles you can earn this year.

EXHIBIT 10

J JARNIS
2020 Pes CLK
Pes. CA94060



Ms Mercedes Herrera
38623 Cherry Lane Apt 117
Fremont, Ca 94536-41233

|||||

PROOF OF SERVICE

I am employed in the County of Santa Clara, State of California. I am over the age of 18 and am not a party to the within action. My business address is 2797 Park Avenue, Suite 201, Santa Clara, CA 95050.

On the date shown below, I served the foregoing document(s) described as:

DECLARATION OF MERCEDES HERRERA

on the following parties in the manner indicated below:

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(BY ELECTRONIC SERVICE) The above-described document(s) will be delivered electronically through the Court's ECF/PACER electronic filing system.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **April 13, 2011** at Santa Clara, California.

/s/
William E. Kennedy

PROOF OF SERVICE